

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

### I. (a) PLAINTIFFS

JUDITH QUANT

(b) County of Residence of First Listed Plaintiff Southampton, NJ  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Prince P. Holloway, Esq; Stampone O'Brien Dilsheimer  
Law; 500 Cottman Ave, Phila., PA; 215-663-9112

### DEFENDANTS

PENNSYLVANIA REAL ESTATE INVESTMENT TRUST;  
BOSCOVS DEPARTMENT STROE, LLC, ET AL

County of Residence of First Listed Defendant Philadelphia  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

D.J. Dawson, Esq. for Def Pennsylvania Real Estate  
Investment Trust; 436 Walnut St, Phila PA; 215-845-6166

### II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

### III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF	PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4
Citizen of Another State	<input checked="" type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

### IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input checked="" type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability		<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability			<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine			<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability			<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice			<input type="checkbox"/> 850 Securities/Commodities/ Exchange
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<b>Habeas Corpus:</b>	<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee		<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence		<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General		<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<b>Other:</b>	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 950 Constitutionality of State Statutes
IMMIGRATION				

### V. ORIGIN (Place an "X" in One Box Only)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation - Transfer	<input type="checkbox"/> 8 Multidistrict Litigation - Direct File
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Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S. Code 1332

### VI. CAUSE OF ACTION

Brief description of cause:  
Personal injury cause of action. Plaintiff resident of NJ. Defendant in Commonwealth of PA

### VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION  
UNDER RULE 23, F.R.Cv.P.

### DEMAND \$

150,000.00

CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  Yes  No

### VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

Oct 31, 2023

SIGNATURE OF ATTORNEY OF RECORD

*D.J. Dawson*

### FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

Judith Quant	:	CIVIL ACTION
v.	:	NO.
Pennsylvania Real Estate Investment Trust, Boscov's Department Store, Boscov's Department Store	:	

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. (✓)
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ( )

<u>10-31-23</u>	<u>D.J. Dawson</u>	Defendant, Pennsylvania Real Estate Investment Trust
<u>Date</u>	<u>Attorney-at-law</u>	<u>Attorney for</u>
<u>215-845-6166</u>	<u>215-569-0284</u>	<u>dj.dawson@bunkerray.com</u>
<u>Telephone</u>	<u>FAX Number</u>	<u>E-Mail Address</u>

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DESIGNATION FORM**

*(to be used by counsel to indicate the category of the case for the purpose of assignment to the appropriate calendar)*

Address of Plaintiff: 186 Dorchester Drive, Southampton, NJ 08088

Address of Defendant: 2005 Market Street, Phila., PA 19103

Place of Accident, Incident or Transaction: Moorestown, Burlington County, New Jersey

**RELATED CASE IF ANY:**

Case Number: \_\_\_\_\_ Judge: \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when **Yes** is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? Yes  No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? Yes  No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? Yes  No
4. Is this case a second or successive habeas corpus, social security appeal, or pro se case filed by the same individual? Yes  No

I certify that, to my knowledge, the within case  is  not related to any now pending or within one year previously terminated action in this court except as noted above.

DATE: 10/31/23

D.J. Dawson

322235

Attorney-at-Law *(Must sign above)*

Attorney I.D. # (if applicable)

**Civil (Place a √ in one category only)**

**A. Federal Question Cases:**

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
- 2. FELA
- 3. Jones Act-Personal Injury
- 4. Antitrust
- 5. Wage and Hour Class Action/Collective Action
- 6. Patent
- 7. Copyright/Trademark
- 8. Employment
- 9. Labor-Management Relations
- 10. Civil Rights
- 11. Habeas Corpus
- 12. Securities Cases
- 13. Social Security Review Cases
- 14. Qui Tam Cases
- 15. All Other Federal Question Cases. (Please specify): \_\_\_\_\_

**B. Diversity Jurisdiction Cases:**

- 1. Insurance Contract and Other Contracts
- 2. Airplane Personal Injury
- 3. Assault, Defamation
- 4. Marine Personal Injury
- 5. Motor Vehicle Personal Injury
- 6. Other Personal Injury (Please specify): slip/fall
- 7. Products Liability
- 8. All Other Diversity Cases: (Please specify) \_\_\_\_\_

**ARBITRATION CERTIFICATION**

*(The effect of this certification is to remove the case from eligibility for arbitration)*

I, \_\_\_\_\_, counsel of record or pro se plaintiff, do hereby certify:

Pursuant to Local Civil Rule 53.2 § 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

Relief other than monetary damages is sought.

DATE: \_\_\_\_\_

Attorney-at-Law *(Sign here if applicable)*

Attorney ID # (if applicable)

NOTE: A trial de novo will be a jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JUDITH QUANT

Plaintiff

v.

PENNSYLVANIA REAL ESTATE INVESTMENT  
TRUST, BOSCOV'S DEPARTMENT STORE,  
LLC, and BOSCOV'S DEPARTMENT STORE

Defendants

CIVIL ACTION

NO.

**NOTICE OF REMOVAL**

AND NOW, comes Defendant Pennsylvania Real Estate Investment Trust, for the purpose only of removing the cause to the United States District Court for the Eastern District of Pennsylvania and respectfully avers as follows:

1. This is a civil action filed and now pending in the Court of Common Pleas of Philadelphia County, Pennsylvania, at September Term, 2023, No. 03240.
2. The action was instituted by Plaintiff by filing a Complaint on September 29, 2023. Thereafter, a copy of the Complaint was received by Defendant on October 12, 2023, service being by personal service.
3. A copy of the Complaint is attached hereto and marked Exhibit "A". No other process, pleadings, or Orders have been served upon Defendant.
4. The amount in controversy with respect to the claim of each Plaintiff exceeds the sum of One Hundred Fifty Thousand Dollars (\$150,000.00), exclusive of interest and costs.
5. The averments made in this Notice of Removal are true and correct with respect to the date upon which suit was commenced and the date upon which this Notice is being filed.

6. This is a suit of a civil nature and involves a controversy between citizens of different states. Plaintiff is a citizen of the State of New Jersey. Defendant, Pennsylvania Real Estate Investment Trust is a corporation, organized under the laws of the Commonwealth of Pennsylvania with its principal place of business at 2005 Market Street, Philadelphia, PA 19103.

7. Defendant, Pennsylvania Real Estate Investment Trust has simultaneously, with the filing of this Notice, given written notice to Plaintiff's Counsel of record via email.

8. Defendant, Pennsylvania Real Estate Investment Trust also is filing a copy of the instant Notice of Removal and all attachments hereto with the Prothonotary of the Court of Common Pleas of Philadelphia County.

WHEREFORE, Defendant Pennsylvania Real Estate Investment Trust hereby removes this suit to this Honorable Court, pursuant to the laws of the United States in such cases made and provided.

Respectfully submitted,

DATED: October 31, 2023

BUNKER & RAY  
BY: D.J. DAWSON

  
Bar No. 322235  
436 Walnut Street, WA01A  
Philadelphia, Pennsylvania 19106  
(215) 845-6150 (Tel); (215) 569-0284 (Fax)  
dj.dawson@bunkerray.com  
Attorneys for Defendant Pennsylvania Real Estate  
Investment Trust

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

JUDITH QUANT

Plaintiff

v.

PENNSYLVANIA REAL ESTATE INVESTMENT  
TRUST, BOSCOV'S DEPARTMENT STORE,  
LLC, and BOSCOV'S DEPARTMENT STORE

Defendants

CIVIL ACTION

NO.

**CERTIFICATION OF SERVICE**

I, D.J. DAWSON, attorney for Defendant Pennsylvania Real Estate Investment Trust, hereby certify that I caused a copy of the Notice of Removal to be filed electronically on October 31, 2023. This document is now available for viewing and downloading from the ECF system by counsel named below:

Prince P. Holloway, Esquire  
Stampone O'Brien Dilsheimer Law  
500 Cottman Avenue  
Cheltenham, PA 19012

BUNKER & RAY  
BY: D.J. DAWSON



---

Bar No. 322235  
436 Walnut Street, WA01A  
Philadelphia, Pennsylvania 19106  
(215) 845-6150 (Tel); (215) 569-0284 (Fax)  
dj.dawson@bunkerray.com  
Attorneys for Defendant Pennsylvania Real Estate  
Investment Trust

## **EXHIBIT A**

Court of Common Pleas of Philadelphia County

Trial Division

**Civil Cover Sheet**

		For Prothonotary Use Only (Docket Number)		
		<b>SEPTEMBER 2023</b> 03240		
PLAINTIFF'S NAME JUDITH QUANT		DEFENDANT'S NAME PENNSYLVANIA REAL ESTATE INVESTMENT TRUST		
PLAINTIFF'S ADDRESS 186 DORCHESTER DRIVE SOUTHAMPTON NJ 08088		DEFENDANT'S ADDRESS THE BELLEVUE 200 S.BROAD STREET PHILADELPHIA PA 19102		
PLAINTIFF'S NAME		DEFENDANT'S NAME BOSCOV'S DEPARTMENT STORE		
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS 400 NJ 38 MORRESTOWN NJ 08057		
PLAINTIFF'S NAME		DEFENDANT'S NAME BOSCOV'S DEPARTMENT STORE, INC.		
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS 4500 PERKIOMEN AVENUE READING PA 19606		
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 3	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Writ of Summons <input type="checkbox"/> Transfer From Other Jurisdictions		
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Non-Jury <input type="checkbox"/> Other:	<input type="checkbox"/> Mass Tort <input type="checkbox"/> Savings Action <input type="checkbox"/> Petition	<input type="checkbox"/> Commerce <input type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Statutory Appeals	<input type="checkbox"/> Settlement <input type="checkbox"/> Minors <input type="checkbox"/> W/D/Survival
CASE TYPE AND CODE 2S - PREMISES LIABILITY, SLIP/FALL				
STATUTORY BASIS FOR CAUSE OF ACTION				
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)  <b>FILED PRO PROTHY</b> SEP 29 2023 C. SMITH			IS CASE SUBJECT TO COORDINATION ORDER? YES      NO	
<b>TO THE PROTHONOTARY:</b> Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>JUDITH QUANT</u> Papers may be served at the address set forth below.				
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY PRINCE HOLLOWAY		ADDRESS 500 COTTMAN AVENUE CHELTENHAM PA 19012		
PHONE NUMBER (215) 663-0400	FAX NUMBER (215) 663-9112			
SUPREME COURT IDENTIFICATION NO. 209591		E-MAIL ADDRESS pholloway@stamponelaw.com		
SIGNATURE OF FILING ATTORNEY OR PARTY PRINCE HOLLOWAY		DATE SUBMITTED Friday, September 29, 2023, 01:25 pm		

**STAMPONE O'BRIEN DILSHEIMER**  
 BY: PRINCE P. HOLLOWAY, ESQUIRE  
 Attorney I.D. No. 209591  
 500 Cottman Avenue  
 Cheltenham, PA 19046  
 (215) 663-0400  
 Attorney for Plaintiff(s)

PROTHONOTARY  
*Filed and Attested by the  
 Office of Judicial Records  
 29 SEP 2023 01:25 pm*  
 C. SMITH  
 JUDICIAL DISTRICT OF PHILADELPHIA

**MAJOR JURY  
 JURY TRIAL DEMANDED**

JUDITH QUANT	:	COURT OF COMMON PLEAS PHILADELPHIA COUNTY
Plaintiff	:	TERM, 2023
vs.	:	
PENNSYLVANIA REAL ESTATE INVESTMENT TRUST, et al.	:	NO.
	:	
Defendants	:	

**NOTICE TO DEFEND**

**NOTICE**

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance person-ally or by attorney and filing in writing with the court your defense objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Philadelphia Bar Association  
 Lawyer Referral  
 and Information Service  
 One Reading Center  
 Philadelphia, PA 19107  
 (215) 238-1701

**AVISO**

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentir una comparecencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

Lleve esta demanda a un abogado inmediatamente. Si no tiene abogado o si no tiene el dinero suficiente de pagar tal servicio. Vaya en persona o llame por teléfono a la oficina cuya dirección se encuentra escrita abajo para averiguar donde se puede conseguir asistencia legal.

Asociación de Licenciados  
 de Filadelfia  
 Servicio de Referencia e  
 Información Legal  
 One Reading Center  
 Filadelfia, PA 19107  
 (215) 238-1701

**STAMPONE O'BRIEN DILSHEIMER**  
BY: PRINCE P. HOLLOWAY, ESQUIRE  
Attorney I.D. No. 209591  
500 Cottman Avenue  
Cheltenham, PA 19046  
(215) 663-0400  
Attorney for Plaintiff(s)

**MAJOR JURY  
JURY TRIAL DEMANDED**

JUDITH QUANT	:	COURT OF COMMON PLEAS
186 Dorchester Drive	:	PHILADELPHIA COUNTY
Southampton, NJ 08088	:	
	Plaintiff	TERM, 2023
vs.	:	
PENNSYLVANIA REAL ESTATE	:	NO.
INVESTMENT TRUST	:	
The Bellevue	:	
200 S. Broad Street	:	
Philadelphia, PA 19102	:	
AND	:	
BOSCov's DEPARTMENT STORE, LLC	:	
4500 Perkiomen Avenue	:	
Reading, PA 19606	:	
AND	:	
BOSCov's DEPARTMENT STORE	:	
400 NJ-38	:	
Morristown, NJ 08057	:	
	Defendants	

**COMPLAINT IN CIVIL ACTION**

1. Plaintiff, Judith Quant, is an individual and citizen of the State of New Jersey, residing therein at 186 Dorchester Drive, Southampton, NJ 08088.

2. Defendant, Pennsylvania Real Estate Investment Trust, is alleged and therefore averred to be individuals, a corporation, partnership and/or other business entity, licensed to transact business in the Commonwealth of Pennsylvania, with a regular place of business located therein at The Bellevue, 200 S. Broad Street, Philadelphia, PA 19102.

3. Defendant, Boscov's Department Store, LLC, is alleged and therefore averred to be a corporation, partnership and/or other business entity, licensed to transact business in the Commonwealth of Pennsylvania, with a regular place of business located therein at 4500 Perkiomen Avenue, Reading, PA 19606.

4. Defendant, Boscov's Department Store, is alleged and therefore averred to be a corporation, partnership and/or other business entity, licensed to transact business in the Commonwealth of Pennsylvania, with a regular place of business located therein at 400 NJ-38, Morristown, NJ 08057.

5. On or about December 20, 2021, at approximately 12:30 p.m., the Plaintiff, Judith Quant, was lawfully shopping in the Boscov's Department Store located in the Moorestown Mall, located at 400 NJ-38, in Burlington County, NJ, when she was caused to slip, trip and otherwise fall to the ground after tripping over the transition strip between the carpet and the tile flooring, causing her to suffer severe and serious injuries and damages as more fully described below.

6. At all times relevant hereto, one or more of the Defendants owned, managed, possessed, leased, controlled or was otherwise responsible for the maintenance of the areas outside of said premises, including the sidewalk where Plaintiff fell, located at 400 NJ-38, Morristown, NJ 08057.

7. This accident resulted solely from the negligence, carelessness and recklessness of one or more of the Defendants and was due in no manner whatsoever to any act or failure to act on the part of the Plaintiff.

8. As a result of the aforesaid accident, the Plaintiff has suffered injuries which are serious and permanent in nature, including, but not limited to: a closed displaced left patella

fracture requiring ORIF surgery; contusions, lacerations and abrasions over various portions of her body; severe and permanent scarring and disfigurement; post traumatic anxiety and depression; severe damage to her nerves and nervous system; and various other ills and injuries which the Plaintiff yet suffers and may continue to suffer for an indefinite time into the future.

9. As a further result of the aforesaid accident, Plaintiff has been obliged to receive and undergo medical attention and care and to incur various and diverse expenses, all of which the Plaintiff may continue to expend and incur for an indefinite time into the future.

10. As a further result of the aforesaid accident, Plaintiff has or may suffer a severe loss of her earnings and impairment of her earning capacity and power, all of which may continue indefinitely into the future.

11. As a further result of the aforesaid accident, the Plaintiff has suffered severe physical pain and trauma, mental upset and anguish and humiliation and may continue to suffer the same for an indefinite time into the future.

12. As a further result of the aforesaid accident, the Plaintiff has suffered a diminution in her ability to enjoy life and life's pleasures, all of which may continue indefinitely into the future.

**COUNT I**  
**JUDITH QUANT V. ALL DEFENDANTS**

13. Plaintiff hereby incorporates by reference Paragraphs 1 through 12 as if the same were herein set forth at length.

14. The negligence, carelessness and recklessness of the Defendants, Pennsylvania Real Estate Investment Trust, Boscov's Department Store, LLC and Boscov's Department Store, its agents, servants, workmen and/or employees, consist of, but is not limited to:

- a. failing to maintain and repair the area, specifically the transition strip, in a condition which would protect and safeguard persons lawfully upon said premises;
- b. permitting said area, specifically the transition strip, to become and remain defective so as to constitute a menace, danger, nuisance and/or trap to persons lawfully upon Defendant's premises;
- c. failing to have the area, specifically the transition strip, inspected at reasonable intervals in order to determine the condition of same;
- d. failing to warn persons using said area, specifically the transition strip, of these dangerous conditions;
- e. allowing broken concrete to exist on said transition strip;
- f. failure to barricade and/or otherwise post warning signs so as to protect and safeguard Plaintiff and other persons lawfully upon said premises;
- g. failing to use due care under the circumstances;
- h. negligence, carelessness and recklessness at law;
- i. such other and further acts of negligence, carelessness and recklessness as will be developed by future discovery in this case.

15. The negligence, carelessness and recklessness of the Defendants, Pennsylvania Real Estate Investment Trust, Boscov's Department Store, LLC and Boscov's Department Store, its agents, servants, workmen and/or employees, was the proximate and sole cause of the injuries and damages to the Plaintiff and expenses incurred as set forth above.

WHEREFORE, Plaintiff, Judith Quant, demands judgment against the Defendants, Pennsylvania Real Estate Investment Trust, Boscov's Department Store, LLC, and Boscov's

Department Store, its agents, servants, workmen and/or employees, jointly and severally, in an amount in excess of Fifty Thousand (\$50,000.00) Dollars.

Respectfully submitted,

STAMPONE O'BRIEN DILSHEIMER LAW

BY: Prince Holloway

PRINCE P. HOLLOWAY, ESQUIRE  
Attorney for Plaintiff(s)

**VERIFICATION**

PRINCE P. HOLLOWAY, ESQUIRE, states that he is the attorney for the Plaintiffs herein, that he is acquainted with the facts set forth in the foregoing Complaint, that the same are true and correct to the best of his information, knowledge and belief and that this statement is made subject to the penalties of 18 Pa. C.S.A., Section 4904, relating to unsworn falsification to authorities.

*/s/ Prince P. Holloway*  
**PRINCE P. HOLLOWAY, ESQUIRE**  
*Attorney for Plaintiff*

## **EXHIBIT B**

**BUNKER & RAY**  
ATTORNEYS AT LAW

ALLEN R. BUNKER  
(215) 845-6151  
GREG A. RAY  
(215) 845-6152  
MAY MON POST  
(215) 845-6154  
MARIE SARKEES BARBICH  
(215) 845-6155  
DAVID A. YOUNG++  
(412) 456-8062  
ALSO ADMITTED IN WV  
++REPLY TO PITTSBURGH OFFICE  
JASON A. PLAZA  
(215) 845-6167

436 WALNUT STREET, WA01A  
PHILADELPHIA, PA 19106  
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October 31, 2023

VIA EMAIL

Prince P. Holloway, Esquire  
Stampone O'Brien Dilsheimer Law  
500 Cottman Avenue  
Cheltenham, PA 19012

Re: Quant, Judith v. Pennsylvania Real Estate Investment Trust, et al.  
Our File Number: PA0-320129 - DJD

Dear Mr. Holloway:

Enclosed please find a Notice to Plaintiff advising that a Notice of Removal has been filed in the United States District Court for the Eastern District of Pennsylvania.

Thank you for your attention to this matter.

Very truly yours,  
BUNKER & RAY



D.J. DAWSON

DJD:smo  
Encl.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JUDITH QUANT

Plaintiff

v.

PENNSYLVANIA REAL ESTATE INVESTMENT  
TRUST, BOSCOV'S DEPARTMENT STORE,  
LLC, and BOSCOV'S DEPARTMENT STORE

Defendants

CIVIL ACTION

NO.

**NOTICE TO PLAINTIFF**

TO: JUDITH QUANT

c/o: Prince P. Holloway, Esquire  
Stampane O'Brien Dilsheimer Law  
500 Cottman Avenue  
Cheltenham, PA 19012

Defendant Pennsylvania Real Estate Investment Trust, by and through its counsel, has/have filed a Notice of Removal in the United States District Court for the First District of Pennsylvania, removing to that Court a civil action previously pending in the Court of Common Pleas of Philadelphia County, entitled Quant, Judith v. Pennsylvania Real Estate Investment Trust, et al., September Term, 2023, No. 03240.

DATED: October 31, 2023

BUNKER & RAY  
BY: D.J. DAWSON



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